

~~SECRET~~/X1

DAC-03840-01

The Honorable Bob Graham

[Redacted]

(b)(3)

OCA 2001-2229

Distribution:

Orig - Honorable Bob Graham (w/encls)

1 - D/OCA (w/encls)

1 - [Redacted] OCA (w/encls)

(b)(3)

3 - DD/IMS/CIO (w/index of encls)

1 - D/IMS/CIO (w/index of encls)

1 - C/IRG (w/index of encls)

1 - C/PPRD (w/encls)

1 - [Redacted] (w/index of encls)

(b)(3)

1 - OCA/EXO (w/o encl)

1 - OCA Registry (w/enclosures)

1 - DAC (w/o encl)

~~SECRET~~/X1

SECRET//XI

Central Intelligence Agency



Washington, D.C. 20505

OCA 2001-2229
6 August 2001

The Honorable Bob Graham
Chairman
Select Committee on Intelligence
United States Senate
Washington, D.C. 20510-6478

Dear Mr. Chairman:

(U) This letter responds to your 6 July 2001 request to the Director of Central Intelligence for information on the Central Intelligence Agency's (CIA) involvement in the U.S. Government's prepublication review of Danny B. Stillman's manuscript, Inside China's Nuclear Weapons Program.

(U) CIA's Publications Review Board (PRB) first learned of the manuscript on 12 May 2000, when the Board received it from Mr. Charles Hoing of the Defense Intelligence Agency's (DIA) Public Affairs Office. Mr. Hoing said that the manuscript contained CIA equities and directed the Board's attention to specific Agency references on six pages. Such prepublication referrals from other government agencies are common. In fact, Mr. Hoing noted that the Department of Energy (DOE) had completed its review of the manuscript and that DIA and the Department of Defense (DOD) were in the process of their respective reviews.

(U) On 1 August 2000, the Chairman of the CIA's PRB wrote to Mr. Hoing that CIA's review was complete. The CIA's PRB Chairman identified certain passages that Agency substantive experts considered classified over and above those marked by DIA and DOE.

(b)(1)
(b)(3)

SECRET//X1

SECRET//X1

The Honorable Bob Graham

(U) CIA heard nothing further until 11 April 2001, when the PRB received a facsimile from Ms. Laurie Kelly, Chief, Public Affairs, DIA. Ms. Kelly noted that the DOD's Directorate for Freedom of Information and Security Review "concluded that DoD's position would be to object to open publication of the manuscript." Since Mr. Stillman had retained legal counsel in light of DOD's objection and had asked for DOD's response on several issues including why the manuscript was forwarded to CIA and other federal agencies for review, Ms. Kelly wanted to know if CIA wished to provide any further information for DOD to incorporate into its response to Mr. Stillman's counsel.

~~(S)~~ The Chairman of the PRB responded on 19 April 2001 and made several points:

- Mr. Stillman submitted the manuscript to comply with the terms of his Classified Information Nondisclosure Agreement with the United States. This agreement was with the Government as a whole, not with a particular agency.
- CIA review was proper since the manuscript contained CIA information and such coordination is consistent with the "third-agency rule" set forth in Executive Order 12958.



(b)(1)
(b)(3)

- Nonetheless, CIA thought it would be difficult to prevent publication absent a compelling articulation of how the manuscript as a whole revealed classified information and why Mr. Stillman could not revise it to remove all references to classified information.

(U) In accordance with your request, I have included a copy of the complete contents of the PRB's file on Mr. Stillman's manuscript, excluding the manuscript itself, as Enclosure A. Several DOD documents in CIA's possession have been referred to DOD/OGC for review consistent with the Executive

SECRET//X1

SECRET//X1

The Honorable Bob Graham

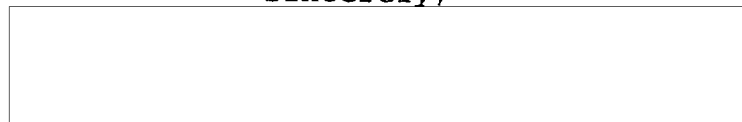
Branch's third-agency rule. Upon clearance by DOD, we would provide those documents to the Committee.

(U) You also requested a list of the publications the PRB has denied within the past 10 years. Enclosure B provides this information in tabular form. It contains the author's name, title of the submission, date on which the PRB reached its decision, reason for disapproval, and final disposition. You will see that from 1 January 1991 to date, the PRB has disapproved only 13 manuscripts. Four authors rewrote their submissions to remove the Board's objections and subsequently were able to publish their work.

(U) The PRB does not make disapproval decisions lightly and considers a manuscript unpublishable as written, only if classified material is so integral to the author's story or so pervasive within the text that separating it is either impossible or would leave the author with nothing to publish. These situations are rare. Indeed, the disapprovals represent only a minuscule percentage of the 3,059 manuscripts reviewed during the ten-and-a-half year period your request encompasses.

(U) I hope that this provides you the information you need.

Sincerely,



Stanley Moskowitz
Director of Congressional Affairs

(b)(3)

Enclosures:

- A. Copy of the Contents of the PRB's file on Mr. Stillman Book
- B. List of the Publications the PRB has Denied Since 1 January 1991